



Livestock Facility Siting

Livestock Facility Siting Monthly Report – August 2006

Rule Highlights and Accomplishments

- Livestock Facility Siting Review Board officers were elected at the June 30, 2006 meeting: Jim Holt, Chair, Andy Johnson, Vice-Chair, Bob Selk, Secretary.

Review Board Activities

- All but one member participated in the second meeting of the Livestock Facility Siting Review Board held on June 30, 2006. The Board adopted its bylaws that establish procedures for conducting meetings and reviewing cases.
- The Board has scheduled meetings on the third Friday of each month for the next 6 months, subject to cancellation. The July 21st meeting was cancelled because there are no pending appeals.

Information and Outreach

DATCP continues with an extensive information and outreach effort. The department is working to expand its training and education efforts beyond training on the implementation of the law and rule at the local level.

Local Government Education

- Provided additional information to Buffalo, Green, Jackson, Marathon and Trempealeau Counties, the Town of Grant in Portage County, and the Town of Mosinee in Marathon County concerning the requirements of the law.
- Received a request to provide specialized training on the law and rule in Brown County on July 27, 2006 and Green County on August 3, 2006.
- Received a request from Florence County to present information on the law and rule to the county board. Currently working out details.

Producer and Professional Education

- Compiled results from survey distributed to engineering consultants, county technicians, county extension agents, county planning and zoning departments, certified crop advisors, and NRCS staff to identify their interest in technical training on the standards in the worksheets (see attached).
- Began planning two full day workshops designed to provide technical training on siting standards to stakeholders.



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- Staffed a booth on siting at the 2006 Farm Technology Days. Highlighted information on the odor standard and were available to run the odor spreadsheet for farmers.

Other Education

- Continue to develop and distribute newsletters on key topics. The latest newsletter article provided information on how local governments can use the period from May 1, 2006 to November 1, 2006 to make the transition in their ordinance to the standards under the siting law and rule (see attached).
- Continue to update siting website.

Ordinance Modification and Development

Many local units of government are taking advantage of the 6 month period between the May 1st effective date and the November 1st deadline to consider whether and how they will update their ordinances to include the siting standards. The department has heard from several counties and towns about the options being considered. The list of local governments in this report is only a partial list of the actions being considered statewide. There are likely other counties and towns that are examining their options under the siting law and rule.

Ordinance action formally taken

- The Dodge County Board adopted the new ATCP 51 standards by reference into their Land Use Code. The amendment revises the definition of "animal confinement facility," "animal unit," adds a use classification for "animal confinement facilities," and raises the conditional use permit requirement threshold from 300 to 500 animal units. The amended code will become effective on August 1, 2006. Dodge County has not adopted a resolution to require applications submitted prior to August 1 to follow the siting standards. However, the county corporation counsel interpreted the state law to be clear enough to require applications submitted to the county in areas under the county zoning ordinance prior to August 1 to complete an application to show compliance with the standards in the rule. Towns which have adopted county zoning are expected to remain under the jurisdiction of the county zoning ordinance. Towns with CUP requirements in their town zoning ordinance are expected to maintain their CUP requirements and understand their responsibility to amend their ordinance prior to November 1, 2006 to reflect the siting law and rule.

Examining adoption of siting standards into county CUP requirements

- Green County
- Manitowoc County
- Calumet County
- Trempealeau County
- LaCrosse County



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Examining adoption of siting standards into town CUP requirements

- Town of Kewaskum (in Washington County)
- Town of Magnolia (Rock County)
- Town of Center (Rock County)
- Town of Armenia (Juneau County)
- Several towns in Fond du Lac County

Examining adoption of siting standards, and retaining lower threshold

- Jefferson County
- Trempealeau County
- LaCrosse County

Examining adoption of a licensing ordinance

- Crawford County
- Town of Kewaskum is petitioning Washington County to adopt licensing ordinance

Exploring revisions to existing zoning ordinance – no requirement for CUP

- Waupaca
- Town of Elk Grove in Lafayette County (state-of-the-art agriculture campus that would house beef cattle, an ethanol plant and a greenhouse)

Issues and Implementation Challenges

There are a number of challenges and issues related to the implementation of the law and rule, including:

Impact of Siting Law and Rule on Existing Ordinances

Counties have specific questions on the relationship between the livestock facility siting law and rule and their existing manure storage ordinances and other nutrient management requirements. Clarification and guidance on these issues continue to be a need.

More Stringent Standards

Some local governments are asking for better guidance on how to meet the “public health and safety” test for establishing more stringent standards.



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Applications and Actions

None.

Siting Standards

None.

Research and Grant Activities

Conservation Innovation Grant

Wisconsin's Dairy and Livestock Air Emission/Odor Project. The steering committee has reviewed revised cost estimates for the projects and are recommending that the department enter into contracts with 6 producers, one each in Waupaca, Kewaunee, Clark, Manitowoc, Dunn and Monroe Counties. The project would evaluate anaerobic manure digesters, manure storage covers (geo-textile and organic), animal lot improvements, and solids separation and aeration for reducing air emissions and odors from the livestock operations. A CIG contract has been offered to each participant. The contracts should be signed and the "before" air emission and odor sampling should begin yet this summer.